

**19-6-710 Registration and permitting of used oil handlers.**

- (1)
  - (a) A person may not operate a DIYer used oil collection center or used oil collection center without holding a registration number issued by the director.
  - (b) The application for registration shall include the following information regarding the DIYer used oil collection center or used oil collection center:
    - (i) the name and address of the operator;
    - (ii) the location of the center;
    - (iii) whether the center will accept DIYer used oil;
    - (iv) the type of containment or storage to be used;
    - (v) the status of business, zoning, and other applicable licenses and permits required by federal, state, and local governmental entities;
    - (vi) emergency spill containment plan;
    - (vii) proof of liability insurance or other means of financial responsibility in an amount determined by board rule for any liability that may be incurred in collecting or storing the used oil, unless waived by the board; and
    - (viii) any other information the director finds necessary to ensure the safe handling of used oil.
  - (c) The owner or operator of the center shall notify the director in writing of any changes in the information submitted to apply for registration within 20 days of the change.
  - (d) To be reimbursed under Section 19-6-717 for collected DIYer used oil, the operator of the DIYer used oil collection center shall maintain and submit to the director records of volumes of DIYer used oil picked up by a permitted used oil transporter, the dates of pickup, and the name and federal EPA identification number of the transporter.
- (2)
  - (a) A person may not act as a used oil transporter or operate a transfer facility without holding a permit issued by the director.
  - (b) The application for a permit shall include the following information regarding acting as a transporter or operating a transfer facility:
    - (i) the name and address of the operator;
    - (ii) the location of the transporter's base of operations or the location of the transfer facility;
    - (iii) maps of all transfer facilities;
    - (iv) the methods to be used for collecting, storing, and delivering used oil;
    - (v) the methods to be used to determine if used oil received by the transporter or facility is on-specification or off-specification;
    - (vi) the type of containment or storage to be used;
    - (vii) the methods of disposing of the waste by-products;
    - (viii) the status of business, zoning, and other applicable licenses and permits required by federal, state, and local government entities;
    - (ix) emergency spill containment plan;
    - (x) proof of liability insurance or other means of financial responsibility in an amount determined by board rule for any liability that may be incurred in collecting, transporting, or storing the used oil;
    - (xi) proof of form and amount of reclamation surety for any facility used in conjunction with transportation or storage of used oil; and
    - (xii) any other information the director finds necessary to ensure the safe handling of used oil.
  - (c) The owner or operator of the facility shall notify the director in writing of any changes in the information submitted to apply for a permit within 20 days of the change.
- (3)

- (a) A person may not operate a used oil processing or rerefining facility without holding a permit issued by the director.
  - (b) The application for a permit shall include the following information regarding the used oil processing or rerefining facility:
    - (i) the name and address of the operator;
    - (ii) the location of the facility;
    - (iii) a map of the facility;
    - (iv) methods to be used to determine if used oil is on-specification or off-specification;
    - (v) the type of containment or storage to be used;
    - (vi) the grades of oil to be produced;
    - (vii) the methods of disposing of the waste by-products;
    - (viii) the status of business, zoning, and other applicable licenses and permits required by federal, state, and local governmental entities;
    - (ix) emergency spill containment plan;
    - (x) proof of liability insurance or other means of financial responsibility in an amount determined by board rule for any liability that may be incurred in processing or rerefining used oil;
    - (xi) proof of form and amount of reclamation surety; and
    - (xii) any other information the director finds necessary to ensure the safe handling of used oil.
  - (c) The owner or operator of the facility shall notify the director in writing of any changes in the information submitted to apply for a permit within 20 days of the change.
- (4)
- (a) A person may not act as a used oil fuel marketer without holding a registration number issued by the director.
  - (b) The application for a registration number shall include the following information regarding acting as a used oil fuel marketer:
    - (i) the name and address of the marketer;
    - (ii) the location of any facilities used by the marketer to collect, transport, process, or store used oil subject to separate permits under this part;
    - (iii) the status of business, zoning, and other applicable licenses and permits required by federal, state, and local governmental entities, including any registrations or permits required under this part to collect, process, transport, or store used oil; and
    - (iv) any other information the director finds necessary to ensure the safe handling of used oil.
  - (c) The owner or operator of the facility shall notify the director in writing of any changes in the information submitted to apply for a permit within 20 days of the change.
- (5)
- (a) Unless exempted under Subsection 19-6-708(2), a person may not burn used oil for energy recovery without holding a permit issued by the director or an authorization from the department.
  - (b) The application for a permit shall include the following information regarding the used oil burning facility:
    - (i) the name and address of the operator;
    - (ii) the location of the facility;
    - (iii) methods to be used to determine if used oil is on-specification or off-specification;
    - (iv) the type of containment or storage to be used;
    - (v) the type of burner to be used;
    - (vi) the methods of disposing of the waste by-products;
    - (vii) the status of business, zoning, and other applicable licenses and permits required by federal, state, and local governmental entities;

- (viii) emergency spill containment plan;
  - (ix) proof of liability insurance or other means of financial responsibility in an amount determined by board rule for any liability that may be incurred in processing or rerefining used oil;
  - (x) proof of form and amount of reclamation surety for any facility receiving and burning used oil; and
  - (xi) any other information the director finds necessary to ensure the safe handling of used oil.
- (c) The owner or operator of the facility shall notify the director in writing of any changes in the information submitted to apply for a permit within 20 days of the change.

Amended by Chapter 360, 2012 General Session